

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/975,831

In re Application of: Acharya, et al.

Docket No.: NETS0085

Serial No.: 09/975,831

Art Unit: 3625

Filed: October 11, 2001

Examiner: Rhodes, R., Jr.

Title: METHOD AND SYSTEM FOR INTEGRATED ONLINE SHOPPING

December 16, 2005

MAIL STOP AMENDMENT
Commissioner for Patents
PO BOX 1450
Alexandria VA 22313-1450

DECLARATION OF VINCENT TONG UNDER 37 CFR § 1.131

1. My name is Vincent Tong and I am an inventor of the subject matter claimed in U.S. Patent Application Serial No. 09/975,831.
2. Claims 1-3 and 6-25 stand rejected under 35 USC 103(a) as being unpatentable over Pricescan in view of U.S. Publication No. 2002/0160766 ("Portman").
3. Portman was filed on September 4, 2001 and was published on October 31, 2002. Portman claims priority from a provisional application filed April 27, 2001.
4. My application was filed on October 11, 2001, five and one half months after Portman's earliest priority data was filed and twelve and one half months before Portman was published.
5. I have reviewed the claims of Portman and find the claims to be drawn to an invention other than that set forth in the claims of my application. Accordingly, my application does not claim the same subject matter as Portman.
6. I conceived and reduced my invention to practice prior to April 27, 2001.

7. As evidence of my prior conception and diligent reduction to practice, I enclose herewith the following exhibits:

EXHIBIT A:

Powerpoint presentation, Shop@Anywhere Episode 2: Online/Offline Integration
Code Name: Yoda, October 16, 2000;

EXHIBIT B:

Product Requirements Document (PRD): Shop@Anywhere Bullet –
Online/Offline Integration <*Code Name: Yoda*> [Release 1.0], October 23, 2000;

EXHIBIT C:

Email from Srinivas Lingutla to Kamal Acharya; February 2, 2001;

EXHIBIT D:

Email from Srinivas Lingutla to Kamal Acharya; February 11, 2001;

EXHIBIT E:

Email from Kamla Acharya to Todd Goldman, *et al.*; February 19, 2001;

EXHIBIT F:

Email from Srinivas Lingutla to Kamal Acharya; March 6, 2001;

EXHIBIT G:

Email from Kamal Acharya to Mohsin Hussain; March 7, 2001;

EXHIBIT H:

Email from Srinivas Lingutla to Kamal Acharya; March 11, 2001;

EXHIBIT I:

Email from Srinivas Lingutla to Kamal Acharya; March 21, 2001;

EXHIBIT J:

Email from Srinivas Lingutla to Kamal Acharya; March 28, 2001;

EXHIBIT K:

Email from Kamal Acharya to Mohsin Hussain; March 28, 2001;

EXHIBIT L:

Email from Srinivas Lingutla to Kamal Acharya; April 4, 2001;

EXHIBIT M:

Email from Kamal Acharya to Mohsin Hussain; April 8, 2001;

EXHIBIT N:

Email from Srinivas Lingutla to Kamal Acharya; April 10, 2001;

EXHIBIT O:

Email from Kamal Acharya to Mohsin Hussain; April 11, 2001;

EXHIBIT P:

Email from Kamal Acharya to Mohsin Hussain; April 11, 2001;

EXHIBIT Q:

Email from Srinivas Lingutla to Kamal Acharya; April 17, 2001;

EXHIBIT R:

Email from Kamal Acharya to Mohsin Hussain; April 19, 2001;

EXHIBIT S:

Email from Kamal Acharya to Mohsin Hussain; May 4, 2001;

EXHIBIT T:

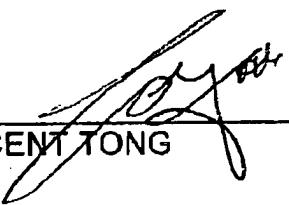
Email from Srinivas Lingutla to Kamal Acharya; May 9, 2001;

10. The documents submitted herewith provide a complete teaching of my invention as currently claimed.

11. Accordingly, the above-mentioned documents are of such character and weight as to establish reduction to practice of my invention prior to the effective date of the reference. Further, the documents, coupled with the preparation of a patent application on the part of my attorney, establish conception of the invention prior to the effective date of the reference coupled with due diligence from prior to said date to a subsequent reduction to practice as accomplished by filing of my application.

12. In view of the foregoing, Portman is not a proper reference upon which a rejection of my claims can be made, and my application is now deemed to be in allowable condition.

13. All statements made of my own knowledge are true, and all statements made on information and belief are believed to be true. I understand that willful false statements and the like are punishable by fine or imprisonment or both (18 USC § 1001) and may jeopardize the validity of this application or any patent issuing thereon.



VINCENT TONG

Dec 17th, 05
Date